

III. Remarks**A. Allowable subject matter**

Applicants are grateful to the Examiner for recognizing the allowable subject matter set forth in claims 27-30. Claims 27-30 have been rewritten in independent form to include the features of the claims from which they previously depended. It is submitted, therefore, that claims 27-30 are now in allowable form.

The claim sets represented by independent claims 5, 13 and 21 – claims 5, 6, 8, 13, 14, 16, 21, 22, 35 and 36 – have been canceled in order to save fees associated with the presentation of additional independent claims 27-30.

B. Claim Rejection under 35 U.S.C. §103(a)

The Action rejects remaining Claims 1-2, 4, 9, 10, 12, 17, 18, 20 and 26 as being obvious from Anderson in view of Redax. Applicants note that Paragraph 5 of the Action states that the rejection is in view of the combination of Anderson and Redax in further view of Pontin but Applicants can find no reference to Pontin in the rejection of these claims.

Applicants submit a supplemental Rule 132 inventor declaration directed to secondary considerations of non-obviousness in support of the non-obviousness of these claims, which allow for the redaction of both images and text from the PDF document. The exhibits referenced in the declaration were submitted with the declaration submitted in the previous response. Consideration of the declaration and the comment below are respectfully requested.

In the “Response to Affidavit under 37 CFR 1.132” section of the Action, the Examiner argues that the affidavit failed to establish a clear nexus between the evidence of secondary considerations, and the merits of the claimed invention. Applicants respectfully request that the Examiner consider the following points when reviewing the new declaration submitted with this response.

In the Action, the Examiner notes that there could be reasons for commercial success of the versions of Redax that can redact both text and images that are not attributable to the ability to redact both text and images, such as increased and/or more strategic advertising, inclusion as part of promotions, additional added features and compatibilities, more robust less buggy versions, etc. Applicants submit that the new Rule 132 declaration shows that Applicants promoted Redax 1.0 more heavily than later versions that could redact both text and images, that there were no significant bugs that were fixed that would have contributed to the success of later versions (which redact both text and images), and that the later versions did not have significant new features that would account for the success of those versions. Based in part on these considerations, the declarant believes that the success of the invention is due to its ability to redact both text and images. This belief is also evidenced by the very limited success of Redax Lite, which is essentially Redax 1.0 but configured for later versions of Adobe® software, despite similar levels of promotion of that product and versions that could redact both text and images. Applicant's decision to forgo updating Redax Lite (which can only redact text) for use with newer versions of Adobe Acrobat® also shows the nexus between the commercial success and the merits of an invention that redacts both text and images.

The Examiner also argues that it is unclear whether the list of the government users evidences actual use of the product. Applicants respectfully submit that, in their experience, users would not purchase a license for software and then not use it. In any event, the declarant now states her belief that the government licensees/purchasers do use the product, based at least in part on continued feedback from and interaction with the customers.

Applicants also submit that exhibits A-K and the statements of those in the industry do evidence the commercial success of the product. Collectively and individually, the exhibits show that Redax has become the de facto standard for redacting text and images from PDF documents. Therefore, these documents are probative of the success of the product in the industry.

Finally, Applicants would like to comment on the perceived strength of the prior art. The primary reference relied on by the Examiner is, in Applicants' view, a fairly weak primary reference (on a hypothetical scale of strength). As detailed by Applicants in several responses, the reference utilizes a fundamentally different and vastly inferior abstraction methodology that is based on the use of image overlays. The redaction methodology is not PDF based and the overlays do not result in the removal of content from an underlying electronic document stream. Reverse engineering of the document to obtain the supposedly redacted content is a serious concern with this technique. The secondary reference (Redax 1.0) lacked any capability to redact images (e.g., handwritten markings, pictures, etc.) from PDF documents, which is a key component of the invention and its commercial success.

In view of the foregoing comments and the Rule 132 declaration submitted with this response. Applicants submit that they have rebutted any *prima facie* case of obviousness presented by the Examiner. Therefore, it is respectfully submitted that the claims of the present application are allowable, reconsideration of which is respectfully requested.

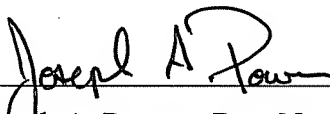
IV. Conclusion

In view of the foregoing remarks, Applicants submit that this application is in condition for allowance at an early date, which action is earnestly solicited.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account **04-1679**.

Respectfully submitted,

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